

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 3/20/2012	(3) CONTACT/PHONE Stephanie Fuhs, Planner/(805)781-5721	
(4) SUBJECT A request for the Board of Supervisors to authorize the use of Alternative Publication Procedures for amendments to Title 21, the Real Property Division Ordinance, (LRP2010-00008); and the Shandon Community Plan Update (LRP2003-00004).			
(5) RECOMMENDED ACTION That the Board of Supervisors: 1. Authorize that a display advertisement of one-quarter page to be published in a newspaper of general circulation in the County no later than March 23, 2012, indicating the general nature of the proposed amendments that will be considered on April 3, 2012, can act as the alternative publication. 2. Authorize a one-quarter page display advertisement be placed in a newspaper of general circulation within 15 days after adoption of the proposed amendments by your Board.			
(6) FUNDING SOURCE(S) Department Budget	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Board Business (Time Est. _____)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input checked="" type="checkbox"/> N/A		(12) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(13) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(14) W-9 <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
(15) LOCATION MAP N/A	(16) BUSINESS IMPACT STATEMENT? No	(17) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date _____	
(18) ADMINISTRATIVE OFFICE REVIEW Reviewed by Leslie Brown			
(19) SUPERVISOR DISTRICT(S) All Districts -			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Stephanie Fuhs, Planner

DATE: 3/20/2012

SUBJECT: A request for the Board of Supervisors to authorize the use of Alternative Publication Procedures for amendments to Title 21, the Real Property Division Ordinance, (LRP2010-00008); and the Shandon Community Plan Update (LRP2003-00004).

RECOMMENDATION

That the Board of Supervisors:

1. Authorize that a display advertisement of one-quarter page to be published in a newspaper of general circulation in the County no later than March 23, 2012, indicating the general nature of the proposed Ordinance amendments that will be considered on April 3, 2012, can act as the alternative publication.
2. Authorize a one-quarter page display advertisement be placed in a newspaper of general circulation within 15 days after adoption of the proposed amendments by your Board.

DISCUSSION

On April 3, 2012, your Board will hold public hearings for the following amendments: **LRP 2010-00008** – Amendments to Title 21, the Real Property Division Ordinance; and **LRP2003-00004** - A request by the County of San Luis Obispo and Fallingstar Homes, Inc. and the Peck Ranch Entities to consider the Shandon Community Plan Update and to: 1) amend and update the Shandon-Carrizo Area Plan, Part II of the Land Use Element of the County General Plan by establishing a new Shandon Community Plan for the area within and outside of the existing Shandon Urban Area; 2) amend Chapter 22.110 of the Land Use Ordinance, Title 22 of the County Code by revising and updating planning area standards, and 3) amend the Official Maps, Part III of the Land Use Element of the County General Plan to reflect changes to land use categories and combining designations.

The California Government Code, Section 25124, establishes specific publication requirements for ordinance amendments. Your Board can order that a display advertisement be published in a newspaper of general circulation in the county prior to the public hearing and that a display ad be placed in a newspaper of general circulation following action on the amendments.

On April 3, 2012, your Board will hold public hearings on the following amendments that have been considered and recommended for approval by the Planning Commission:

1. A request by the County of San Luis Obispo to amend Section 21.02.090 of the Real Property Division Ordinance (Title 21 of the San Luis Obispo County Code). The proposed amendment would modify the ordinance so that at the discretion of the Planning Director, any application for a project that may generate substantial public controversy or involve significant land use policy issues and for which review authority is granted to the Subdivision Review Board pursuant to the provisions of Titles 21, 22, and / or 23, may be referred to the Planning Commission for review and decision and would modify the time limits for a tentative map consistent with state law.

County File Number: **LRP2010-00008**
Supervisory District: All

Assessor Parcel Number: N/A
Date Authorized: December 7, 2010

2. A request by the County of San Luis Obispo and the primary Shandon applicants of Fallingstar Homes, Inc. and the Peck Ranch Entities to consider the Shandon Community Plan Update and to: 1) amend and update the Shandon-Carrizo Area Plan, Part II of the Land Use Element of the County General Plan by establishing a new Shandon Community Plan for the area within and outside of the existing Shandon Urban Area, deleting existing language in the Shandon-Carrizo Area Plan pertaining to the Shandon Urban Area, revising portions of the Area Plan for the rural areas outside of the Shandon Urban Area, and making other related changes to the Area Plan; 2) amend Chapter 22.110 of the Land Use Ordinance, Title 22 of the County Code by revising and updating planning area standards, and 3) amend the Official Maps, Part III of the Land Use Element of the County General Plan to reflect changes to land use categories and combining designations. The update includes a number of changes to goals, policies, programs, land use categories, combining designations, and planning area standards. Chapter 5 of the Shandon Community Plan is proposed to become the Circulation Element for Shandon thereby repealing all portions of the existing Circulation Element of the County General Plan pertaining to this area.

County File Numbers: **LRP 2003-00004**
Supervisory District: 1

Assessor Parcel Number: various
Date Authorized: September 21, 2004

(This item was continued from November 15, 2011 to an uncertain date and therefore new public notice is required)

Staff Comments

The California Government Code establishes specific publication requirements for ordinance amendments, and offers two cost-saving alternatives to publishing the complete text of an adopted ordinance after its passage (which has historically been the most commonly-used method). The alternatives include either publishing a summary of the proposed amendments; or, where the official responsible for the ordinance determines that a summary would not be effective, and with the consent of your Board, a simple display ad can be published in a local newspaper noting passage of the ordinance, where it can be obtained, and how your Board voted on its adoption.

Therefore, in accordance with Section 25124 of the California Government Code, we are requesting that your Board order that a display advertisement of a one-quarter page be published in a newspaper of general circulation in the county, indicating the general nature of the proposed Land Use Ordinance amendments to be considered. In addition, it is requested that your Board direct that a one-quarter page display advertisement be placed in a newspaper of general circulation within 15 days after adoption of the proposed amendments.

Because publication of a display advertisement would cost substantially less than the full text of the adopted amendments, and because the diversity of topics covered in the amendments does not enable a meaningful summary, your favorable consideration on this matter is appreciated.

OTHER AGENCY INVOLVEMENT/IMPACT

Applicable agencies and Community Advisory Committees were provided referrals of the amendments.

FINANCIAL CONSIDERATIONS

Reproducing the complete text of all of the amendments would cost approximately 50 percent more than the cost of two quarter-page display ads. Application fees for privately initiated amendments include advertising expenses. The Department budget covers the cost of advertising county initiated amendments.

RESULTS

Advertising of the amendments will allow public hearings to occur in conformance with the Government Code and will cost substantially less than publishing the full text of the adopted amendments.